

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

COURTNEY HARNESS,

Plaintiff,

v.

UNIVERSITY HOSPITALS HEALTH
SYSTEMS, INC.,

Defendant.

Case No.: 1:22-CV-01422-DAR

Judge: David A. Ruiz

**DEFENDANT'S EVENT SUPPLEMENT TO ITS ANSWER
TO ATTACH PLAINTIFF'S CHARGE OF DISCRIMINATION**

Defendant attaches to its Answer in the case at bar Plaintiff's Equal Employment Opportunity Commission Charge which Plaintiff was required to file with its Complaint.

Respectfully submitted,

/s/ David A. Campbell

David A. Campbell (0066494)

Donald G. Slezak (0092422)

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Attorneys for Defendant

<h2 style="text-align: center; margin: 0;">CHARGE OF DISCRIMINATION</h2> <p style="font-size: small; margin: 5px 0;">This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</p>	<p>Charge Presented To: Agency(ies) Charge No(s):</p> <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 40%;"> <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC </div> <div style="width: 50%; text-align: right;"> 532-2020-00108 </div> </div>
OHIO CIVIL RIGHTS COMMISSION	
<i>State or local Agency, if any</i>	
Name (indicate Mr., Ms., Mrs.) MRS. CORTNEY PULLIN	Home Phone (330) 619-9190
Year of Birth 1980	
Street Address P.O. BOX 344, WARREN, OH 44482	
City, State and ZIP Code	
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)	
Name UNIVERSITY HOSPITALS	No. Employees, Members 501+
Phone No. (877) 471-7522	
Street Address 5805 EUCLID AVE., CLEVELAND, OH 44104	
City, State and ZIP Code	
Name	No. Employees, Members
Phone No.	
Street Address	
City, State and ZIP Code	
DISCRIMINATION BASED ON (Check appropriate box(es).)	
<div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;"><input type="checkbox"/> RACE</div> <div style="width: 33%;"><input type="checkbox"/> COLOR</div> <div style="width: 33%;"><input checked="" type="checkbox"/> SEX</div> <div style="width: 33%;"><input type="checkbox"/> RELIGION</div> <div style="width: 33%;"><input type="checkbox"/> NATIONAL ORIGIN</div> <div style="width: 33%;"><input checked="" type="checkbox"/> RETALIATION</div> <div style="width: 33%;"><input type="checkbox"/> AGE</div> <div style="width: 33%;"><input checked="" type="checkbox"/> DISABILITY</div> <div style="width: 33%;"><input type="checkbox"/> GENETIC INFORMATION</div> <div style="width: 33%;"><input type="checkbox"/> OTHER (Specify)</div> </div>	
DATE(S) DISCRIMINATION TOOK PLACE Earliest: 11-08-2011 Latest: 10-18-2019	
<input type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): <p>I BEGAN MY EMPLOYMENT WITH THE RESPONDENT ON OR ABOUT NOVEMBER 8, 2011. MY MOST RECENT POSITION WAS LICENSED PRACTICAL NURSE. DURING MY EMPLOYMENT, I WAS SUBJECTED TO DIFFERENT TERMS AND CONDITIONS OF EMPLOYMENT, INCLUDING, BUT NOT LIMITED TO, BEING BULLIED. I WAS DISCIPLINED. I COMPLAINED TO THE RESPONDENT ABOUT INAPPROPRIATE BEHAVIOR AND PEER PRESSURE FROM COLLEAGUES. SUBSEQUENTLY, I WAS REQUIRED TO GO TO THE RESPONDENT'S EMPLOYEE ASSISTANCE PROGRAM (EAP). I WAS ALSO REQUIRED AS PART OF THE EAP PROCESS TO IDENTIFY MEDICATIONS THAT I WAS TAKING AND ANY MEDICAL CONDITIONS THAT I HAVE. I WAS SUBJECTED TO INAPPROPRIATE COMMENTS. I COMPLAINED TO THE RESPONDENT. SUBSEQUENTLY, I WAS SENT HOME ON OR ABOUT OCTOBER 10, 2019. I WAS THEN DISCHARGED ON OR ABOUT OCTOBER 18, 2019.</p> <p>I BELIEVE THAT I WAS DISCRIMINATED AGAINST BECAUSE OF MY SEX, FEMALE (SEXUAL ORIENTATION), AND IN RETALIATION FOR ENGAGING IN PROTECTED ACTIVITY, IN VIOLATION OF TITLE VII OF THE CIVIL RIGHTS ACT OF 1964, AS AMENDED.</p>	

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.	NOTARY – When necessary for State and Local Agency Requirements
I declare under penalty of perjury that the above is true and correct.	I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT
Digitally signed by Cortney Pullin on 10-21-2019 01:23 PM EDT	SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)

<h2 style="text-align: center;">CHARGE OF DISCRIMINATION</h2> <p style="text-align: center;">This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</p>	<p>Charge Presented To: Agency(ies) Charge No(s):</p> <p> <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC </p> <p style="text-align: right;">532-2020-00108</p>
<p style="text-align: center;">OHIO CIVIL RIGHTS COMMISSION</p> <p style="text-align: center;"><i>State or local Agency, if any</i></p>	
<p>I ALSO BELIEVE THAT I WAS DISCRIMINATED AGAINST BECAUSE OF MY DISABILITY AND IN RETALIATION FOR ENGAGING IN PROTECTED ACTIVITY, IN VIOLATION OF THE AMERICANS WITH DISABILITIES ACT OF 1990, AS AMENDED.</p>	

<p>I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.</p>	<p>NOTARY – <i>When necessary for State and Local Agency Requirements</i></p>
<p>I declare under penalty of perjury that the above is true and correct.</p> <p style="text-align: center;">Digitally signed by Cortney Pullin on 10-21-2019 01:23 PM EDT</p>	<p>I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.</p> <p>SIGNATURE OF COMPLAINANT</p> <p>SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)</p>

PRIVACY ACT STATEMENT: Under the Privacy Act of 1974, Pub. Law 93-579, authority to request personal data and its uses are:

- 1. FORM NUMBER/TITLE/DATE.** EEOC Form 5, Charge of Discrimination (11/09).
- 2. AUTHORITY.** 42 U.S.C. 2000e-5(b), 29 U.S.C. 211, 29 U.S.C. 626, 42 U.S.C. 12117, 42 U.S.C. 2000ff-6.
- 3. PRINCIPAL PURPOSES.** The purposes of a charge, taken on this form or otherwise reduced to writing (whether later recorded on this form or not) are, as applicable under the EEOC anti-discrimination statutes (EEOC statutes), to preserve private suit rights under the EEOC statutes, to invoke the EEOC's jurisdiction and, where dual-filing or referral arrangements exist, to begin state or local proceedings.
- 4. ROUTINE USES.** This form is used to provide facts that may establish the existence of matters covered by the EEOC statutes (and as applicable, other federal, state or local laws). Information given will be used by staff to guide its mediation and investigation efforts and, as applicable, to determine, conciliate and litigate claims of unlawful discrimination. This form may be presented to or disclosed to other federal, state or local agencies as appropriate or necessary in carrying out EEOC's functions. A copy of this charge will ordinarily be sent to the respondent organization against which the charge is made.
- 5. WHETHER DISCLOSURE IS MANDATORY; EFFECT OF NOT GIVING INFORMATION.** Charges must be reduced to writing and should identify the charging and responding parties and the actions or policies complained of. Without a written charge, EEOC will ordinarily not act on the complaint. Charges under Title VII, the ADA or GINA must be sworn to or affirmed (either by using this form or by presenting a notarized statement or unsworn declaration under penalty of perjury); charges under the ADEA should ordinarily be signed. Charges may be clarified or amplified later by amendment. It is not mandatory that this form be used to make a charge.

NOTICE OF RIGHT TO REQUEST SUBSTANTIAL WEIGHT REVIEW

Charges filed at a state or local Fair Employment Practices Agency (FEPA) that dual-files charges with EEOC will ordinarily be handled first by the FEPA. Some charges filed at EEOC may also be first handled by a FEPA under worksharing agreements. You will be told which agency will handle your charge. When the FEPA is the first to handle the charge, it will notify you of its final resolution of the matter. Then, if you wish EEOC to give Substantial Weight Review to the FEPA's final findings, you must ask us in writing to do so within 15 days of your receipt of its findings. Otherwise, we will ordinarily adopt the FEPA's finding and close our file on the charge.

NOTICE OF NON-RETALIATION REQUIREMENTS

Please **notify** EEOC or the state or local agency where you filed your charge **if retaliation is taken against you or others** who oppose discrimination or cooperate in any investigation or lawsuit concerning this charge. Under Section 704(a) of Title VII, Section 4(d) of the ADEA, Section 503(a) of the ADA and Section 207(f) of GINA, it is unlawful for an *employer* to discriminate against present or former employees or job applicants, for an *employment agency* to discriminate against anyone, or for a *union* to discriminate against its members or membership applicants, because they have opposed any practice made unlawful by the statutes, or because they have made a charge, testified, assisted, or participated in any manner in an investigation,

proceeding, or hearing under the laws. The Equal Pay Act has similar provisions and Section 503(b) of the ADA prohibits coercion, intimidation, threats or interference with anyone for exercising or enjoying, or aiding or encouraging others in their exercise or enjoyment of, rights under the Act.

CERTIFICATE OF SERVICE

I, David A. Campbell, hereby certify that on this 26th day of September, 2022, a the foregoing Event Supplement: Attachment of Plaintiff's EEOC Charge was filed through the Court's CM/ECF electronic filing system and will be served upon all counsel of record.

/s/ David A. Campbell

David A. Campbell (0066494)

One of the Attorneys for Defendant